



## **MEETING**

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Halliday, followed by the Pledge of Allegiance.

## **ROLL CALL**

Present: COMMISSIONERS Zermeno, Williams, Sacks, Caveglia Bogue, Thnay  
CHAIRPERSON Halliday  
Absent: COMMISSIONER None

Staff Members Present: Anderly, Conneely, Looney, Patenaude

General Public Present: Approximately 6

## **PUBLIC COMMENT**

There were no public comments.

## **AGENDA**

1. **Appeal of Administrative Approval of SPR 01-130-14 – Dr. Dharam Salwan, Salwan Property Management (Applicant/Owner)** – Site Plan Review Application for the Construction of a 1,550-Square-Foot Two-Story Retail/Office/Service Commercial and Residential Building. The Project is Located at 22529 Second Street Between "A and "B" Streets on a 2,446-Square-Foot Vacant Parcel
2. **PL-2001-0218 Text Amendment of the Sign Regulations – Gary Fisher (Applicant):** Request to Modify the Sign Regulations to Permit Changeable Copy Signs in the Industrial District
3. **Appeal of Administrative Use Permit Application No. 01-150-22 – Mimi Bauer for the Fairway Park Neighborhoods Association (Appellant), Derek Smitheram for Metro PCS (Applicant), McDonald & Sommers Partnership, et al (Owner):** Appeal of an Administrative Use Permit Approval to Allow the Mounting of 6 Panel Antennas on the Roof of the Holiday Bowl. The Property is Located at 29827 Mission Boulevard in the CN (Neighborhood Commercial) Zoning District **(to be continued)**

## **PUBLIC HEARINGS**

1. **Appeal of Administrative Approval of SPR 01-130-14 – Dr. Dharam Salwan, Salwan Property Management (Applicant/Owner)** – Site Plan Review Application for the Construction of a 1,550-Square-Foot Two-Story Retail/Office/Service Commercial and Residential Building. The Project is Located at 22529 Second Street Between "A and "B"

## Streets on a 2,446-Square-Foot Vacant Parcel

Principal Planner Patenaude described the proposed building. He explained that parking has been a problem with the small lots downtown. Instead of the City requiring parking spaces at the site, they are requesting applicants to provide in-lieu payments. He noted that in this particular instance, Public Parking Lot 6, which is one block away, has adequate spaces. He suggested that, if approved, the Commission add a further condition requiring an easement to assure access from the proposed site from Owens property to the west to make sure the appellants concerns are dealt with.

Commissioner Zermeño asked about the apartment and how to gain access to it. He was concerned about tenants accessing the building directly from the garage rather than having to leave the building to enter the apartment.

Principal Planner Patenaude explained that a side entrance to the building would provide access to both the commercial space and the stairs for the living quarters.

Commissioner Zermeño commented that they would still have to exit the garage and go outside to enter the building.

Commissioner Williams asked about the easement discussed.

Principal Planner Patenaude said the easement would run with the property.

Commissioner Bogue discussed the entry doors.

Principal Planner Patenaude commented that there be a requirement for the doors for commercial as well as residential. They then discussed whether the wall on the roof would be adequate to hide all the air-conditioning and mechanics on the roof.

Principal Planner Patenaude said it is expected to.

Commissioner Bogue mentioned the Quality Inn as a good example of continuing the pattern of the building to screen anything on the roof.

Commissioner Thnay asked why there was no recommendation for landscaping on Second Street.

Principal Planner Patenaude responded that this building is right up on the street.

Commissioner Thnay suggested that this might be the time to have the applicant put in any landscaping. He then asked about the in-lieu fee for parking and how current it is. He was told it is very current, and reflects today's values.

Chairperson Halliday expressed concern regarding the height of the building and whether it would overwhelm other buildings in the area.



Principal Planner Patenaude explained that the elevation is as presentable as other elevations in the area.

Chairperson Halliday then asked whether City traffic staff approved of the drive-way. She was told this was the reason for the off-set garage.

7:49 p.m. The public hearing opened and closed with no input from the public.

Commissioner Caveglia **moved**, seconded by Commissioner Zermeño, to approve the application and deny the appeal. He added the recommended condition allowing the easement on the drive-way area.

Commissioner Zermeno then suggested adding a tree or two to the proposal.

Planning Manager Anderly said staff would look to a landscape plan.

Commissioner Sacks said she was trying to picture that street. She noted that there is nothing to break up the concrete. It needs some relief. She said she was thinking of the future. That's awful to have no relief on that street. If there is something we can do, we should do it since it's pretty bleak.

Commissioner Williams asked whether the driveway was at the fire-hydrant and who would be responsible for moving it. He was told it would be moved at the expense of the developer.

Commissioner Williams then commented that this seemed a small space for this building and a very heavily trafficked street for the turns to get into the drive-way. He added that he felt uneasy about the size of it.

Principal Planner Patenaude explained that the use of the drive-way should be minimal.

Commissioner Caveglia said this is the kind of design staff should be working toward getting downtown. He commented that this is a good addition to the area, and the Commission should encourage it.

Commissioner Thnay added that it is a small step toward moving people downtown. He added that perhaps staff should think out of the box when it comes to landscaping.

Principal Planner Patenaude suggested that since the building is at a slight angle to Second Street, decorative planters might be included as part of the landscape.

Commissioner Caveglia added that perhaps the rooftop might be used for landscaping as in an urban garden.

Commissioner Zermeño then recommended that access from the garage directly into the building also be looked at.

Principal Planner Patenaude said staff would explore that option with the developer.

Chairperson Halliday asked whether this building would block off windows in the building behind it.

Principal Planner Patenaude said no, although it may block the east corner of that building. However, the same owner owns both buildings.

**The motion passed unanimously.**

**2. PL-2001-0218 Text Amendment of the Sign Regulations – Gary Fisher (Applicant):**  
Request to Modify the Sign Regulations to Permit Changeable Copy Signs in the Industrial District

Principal Planner Patenaude described the location of the property. He gave an overview of the building and the company, and the need for the company, e-Signal, to describe their business with changeable signs. Staff expressed concern that if too many changeable copy signs were in the area, it would be clutter. The proposal is for changeable copy signs only in the Industrial District. The Outdoor Advertising Act includes several requirements to restrict changeable copy on signs. These requirements provide the City with adequate controls beyond its own. Staff is proposing that if a business uses them, additional sign allowance not be allowed. It must fit into their allotment for signage.

Commissioner Caveglia asked for further information about the scrolling.

Principal Planner Patenaude said that every 4 seconds a new message can appear. It's not going to be like Times Square where there is a constant rolling of words. He suggested that this will probably display more generic information.

Commissioner Sacks asked whether it would be similar to the sign at the Coliseum.

Principal Planner Patenaude said it would be, as well as the new sign at Southland.

The public hearing opened at 8:11 p.m.

Ed Mullins spoke on behalf of the Hayward Chamber of Commerce to support changing the Sign Ordinance to allow this difference. He commented on the letter Scott Raty had provided also supporting the change. This is a positive enhancement to an important Gateway to the City. This sign reflects the new economy and the new businesses Hayward is trying to attract. He cited several other examples of similar signs in Hayward including those at Moreau High School, and Chabot College. He urged approval.

Scott Johnson, San Mateo, said he was there to encourage the Commission to allow the sign. He said this is important to the company as the perfect symbol to answer the question of they do. He



noted that their company is part of a multi-national conglomerate. They are a good representation for the City. They were formerly in San Mateo for 13 years. He said their company will be a very social, active group for the City. They are the best at what they do.

The public hearing closed at 8:16 p.m.

Commissioner Williams said he was really impressed by the presentation. Company is world-wide. He commented that we have to change with the times. He then **moved**, seconded by Commissioner Sacks, to recommend to City Council the text amendment of the Sign Regulations.

Commissioner Caveglia said he thought this was a terrible idea as well as dangerous. It will cause attention-gathering along that heavy corridor. He stated that he was happy with the Sign Ordinance as it stands.

Commissioner Thnay commented that it is going to be limited and will not impact residential. He noted that it does not cause too many distractions. He commented that a sign tastefully done has value. He wondered how in the future they could insure applications will be equally well regulated and when do you say, "No."

Principal Planner Patenaude commented that anyone else would still need to meet the qualifications of the State Ordinance as well as the City's. Staff estimates with 1,000 feet required between signs, five at the most could be accommodated on State Route 92, and on the westerly side of I-880, two at the most and on the easterly side, three or four, depending on the placement. Each would also have to apply for a sign permit.

Commissioner Bogue spoke of his concerns regarding the spacing every 1,000 sq. feet and noted he could not support the text amendment.

Commissioner Sacks said that a part of this is a safety issue. She said she did not see it as safety at that location. The biggest problem is drivers not paying attention. She said she liked the concept of "branding" the building.

Commissioner Zermeno said similar concerns were expressed when Chabot erected their scrolling sign, but nothing has happened. He said he did not see any problem with this. When we drive we are trying to keep our eyes on the road.

Chairperson Halliday said she welcomed this business in Hayward but she was opposed to adding this kind of sign. She commented that it is a beautiful landscape that we have here and she would like people to see it. It is too much to ask to change the Sign Ordinance. She said she would vote no.

The motion **carried** by the following vote:

AYES:	COMMISSIONERS Thnay, Sacks, Williams, Zermeño
NOES:	COMMISSIONER Bogue, Caveglia CHAIRPERSON Halliday
ABSENT:	None
ABSTAIN:	None

3. **Appeal of Administrative Use Permit Application No. 01-150-22 – Mimi Bauer for the Fairway Park Neighborhoods Association (Appellant), Derek Smitheram for Metro PCS (Applicant), McDonald & Sommers Partnership, et al (Owner):** Appeal of an Administrative Use Permit Approval to Allow the Mounting of 6 Panel Antennas on the Roof of the Holiday Bowl. The Property is Located at 29827 Mission Boulevard in the CN (Neighborhood Commercial) Zoning District **(to be continued)**

### **ADDITIONAL MATTERS**

4. Oral Report on Planning and Zoning Matters

Planning Manager Anderly reported that next week, a regularly scheduled Planning Commission meeting would be held to discuss the environmental document of the General Plan, as well as Sustainable Growth. This is the initial opportunity for the public to comment.

Chairperson Halliday encouraged anyone who was interested to go to the City's website for further information on the subject.

5. Commissioners' Announcements, Referrals

Commissioner Zermeño asked about work being done on the corner of Hesperian and Winton and whether work is being started for the new Staples store. He was told that they have not received a building permit yet.

### **MINUTES**

- November 1, 2001 Approved with a minor change

### **ADJOURNMENT**

Chairperson Halliday adjourned the meeting at 8:34 p.m., in memory of Bill Looney who was a courier for the City and the Planning Commission, and husband of the Commission Secretary.

**APPROVED:**

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Francisco Zermeño, Secretary  
Planning Commission

**MINUTES**



**REGULAR MEETING OF THE PLANNING  
COMMISSION, CITY OF HAYWARD, Council  
Chambers**

**Thursday, December 06, 2001, 7:30 P.M.  
777 "B" Street, Hayward, CA 94541**

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ATTEST:

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Edith Looney  
Commission Secretary

***DRAFT***